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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/228,562	01/12/1999	TETSUO TANIGUCHI	36856.166	8433

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Joseph R. Keating, Esq.
KEATING & BENNETT, LLP
10400 Eaton Place, Suite 312
Fairfax, VA 22030

EXAMINER	
TRAN, CON P	
ART UNIT	**PAPER NUMBER**
2644	22

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/228,562	TANIGUCHI ET AL.	
	Examiner	Art Unit	
	Con P. Tran	2644	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ they raise the issue of new matter (see Note below);
   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____.
3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.
8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5

Response to Arguments

1. Applicant's arguments of Request for Reconsideration filed on April 4, 2004 have been fully considered but they are not persuasive. The application has been considered "special" as per MPEP 707.02.

2. Applicants assert on pages 8-9, regarding claims 1, 11, and 21:

> "The Examiner has failed to provide any evidence that the circuit defined by elements L6, L7, C8, and C9 and the circuit defined by elements L9, L10, CIO, and C11 function as LC filter circuits. In fact, lines 4-6 of page 2 of the English translation of Kobayashi provided to the Examiner with the Supplemental Request for Reconsideration filed on March 17, 2003 specifically state that **"[c]apacitors C8 to C11 and coils L6 to L10** constitute a high-pass filter for blocking an intermediate frequency component" (emphasis added). That is, contrary to the Examiner's allegations, Kobayashi teaches that **coil L8 is an integral component of the high-pass fitter** shown in Fig. 5, and thus, cannot be fairly construed as "a common fine defined by an element that is **independent** of said first LC filter circuit unit and said second LC filter circuit unit" (emphasis added) as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21."

Examiner respectfully disagrees. Regarding the claimed limitations from claim 1, and similarities in claims 11 and 21:

> "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit;

wherein said common side line of said first LC filter circuit unit is electrically and directly connected to said common side line of said second LC filter circuit unit via said common line;"

It is Examiner's understanding that common line L5 of Figure 1 is a connecting inductor between two common side lines 8 and 9. It is unclear to the Examiner, however, how the common line L5 that is electrically and directly connected to two filter circuit units can be defined as independent of these two filter circuit units. Furthermore, the specification does not provide any information regarding how L5 can be both connected to the LC filters, and "independent" thereof; such would appear to be impossible.

Since inductor "common line" is electrically and directly connected to first and second filters, the "common line" must be part of the recited filters, just like inductor L8 is part of Kobayashi's filters.

3. Applicants assert on page 9, regarding claims 1, 11 and 21:

> "Thus, Kobayashi clearly does not inherently teach or suggest the feature of "an approximate midpoint of said common line is defined as a common phase reference point of each of said first and second LC filter circuit units" as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21."

Examiner respectfully disagrees. The limitation "an approximate midpoint of said common line is defined as a common phase reference point" does not contribute to the structure of the claimed filter circuit units since a common phase reference point, in general, can be defined as any particular location, i.e., phase may be measured

anywhere. Therefore this limitation is inherently met. Furthermore, it is unclear as to what characteristic would distinguish a (phase) reference point as "common." Certainly, measuring phase from, say, Kobayashi's L8 would meet the broad recitation of "common" since L8 is "common" to both LC circuits.

4. Applicants assert on page 10, regarding claims 1, 11 and 21:

> "However, the Examiner's allegations are clearly inconsistent with the specifically disclosed fact in Kobayashi that "capacitors C8 to C11 and coils L6 to L10 constitute a high-pass filter. . ." In other words, the high-pass filter of Kobayashi includes capacitors C8 to C11 and coils L6, L7, L8, L9 and L10. Thus, the inductor L8 of Kobayashi is not independent of a first LC filter circuit unit and a second LC filter circuit unit, but rather is an integral, component of the high-pass filter of Kobayashi. Therefore, contrary to the Examiner's allegations, Kobayashi does not teach or suggest the same structural arrangement as the claimed invention.."

Although Kobayashi in page 2, lines 4-6 specifically state that "[c]apacitors C8 to C11 and coils L6 to L10 constitute a high-pass filter for blocking an intermediate frequency component", however, any high-pass filter, practically, realized is in effect a band pass filter since it has a transmission band starting at some (lower) cutoff frequency and extending to some finite frequency. There is inherently a finite upper frequency limit because of circuit capacitance in the case of analog circuitry (as Kobayashi, for example), or because of anti-aliasing filtering (prior to ADC) in a digital system. Viewed in this way, any such high pass filter is in actuality a band pass filter no matter what the reference calls it.

Regarding the following phrases in claims 1, 11 and 21:

"defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit" and "common side line of the first LC filter circuit unit is electrically and directly connected to the common side line of the second LC filter circuit unit via", in which both phrases refer to limitation "common line",

as presented in section (2), it would appear impossible for a "common line" to be both "common" and "independent". Since inductor "common line" L5 is electrically and directly connected to first and second filters, the "common line" must be part of the recited filters, just like inductor L8 is part of Kobayashi's filters.

F. W. Isen
SPE, Art Unit 2644